

FILED IN THE
UNITED STATES
BANKRUPTCY COURT
2003 JUL 14 P 3:47
DISTRICT OF UTAH
BY *[Signature]*
DEPUTY CLERK

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IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH, CENTRAL DIVISION

In re:

SIMON TRANSPORTATION SERVICES,
INC.; DICK SIMON TRUCKING, INC.; AND
SIMON TERMINAL, LLC,

Debtors.

FREIGHTLINER LLC AND FREIGHTLINER
MARKET DEVELOPMENT
CORPORATION,

Plaintiffs,

vs.

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS AND JOHN DOES 1-1442.

Defendants.

Bankruptcy Case No. 02-22906
Bankruptcy Case No. 02-22907
Bankruptcy Case No. 02-24874
(Jointly Administered)

NOTICE OF DISMISSAL

Judge Glen E. Clark

Adv. No. 03P-2250 GEC



TO THE PARTIES ON THE ATTACHED SERVICE LIST:

PLEASE TAKE NOTICE THAT, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and DUCivR 54-1(d), plaintiffs Freightliner LLC and Freightliner Market Development Corporation ("Freightliner") hereby dismisses without prejudice all claims against the Official Committee of Unsecured Creditors and John Does 1-1442, in the above-captioned action. Defendants have not served an answer or a motion for summary judgment in this action.

DATED this 17th day of July, 2003.

PARSONS BEHLE & LATIMER

A handwritten signature in black ink, appearing to be "J. Thomas Beckett", written over a horizontal line.

J. Thomas Beckett
Dianna M. Gibson
Counsel to Freightliner


CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July, 2003, I caused to be mailed, first class, postage prepaid, a true and correct copy of the foregoing **NOTICE OF DISMISSAL** to:

Michael N. Emery
RICHARDS BRANDT MILLER & NELSON
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Interstate Equipment Leasing, Inc., DST Leasing, LLC,
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J. THOMAS BECKETT